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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

FKI INDUSTRIES INC.,

CV No.: 07-579-PK

Plaintiff,

vs.

**TEMPORARY RESTRAINING ORDER
AND ORDER TO SHOW CAUSE**

BRIAN M. LaGRAND,

Defendant.

The Court has considered Plaintiff's Ex Parte Motion for Temporary Restraining Order and Order to Show Cause pursuant to Rule 65(b) of the Federal Rules of Civil Procedure against Defendant Brian M. LaGrand and Garnishees, the Archdiocese of Portland in Oregon; Bradley O. Baker; Union Bank of California; and Diane LaGrand, pending a show cause hearing and determination on Plaintiff's Motion for Preliminary Injunction, as set forth in the Complaint and supporting declarations, and it appearing that there is an imminent threat of irreparable harm, injury, loss, or damage to Plaintiff from payment, disbursement, dissipation, wire, transfer or removal of the claimed property, before the hearing can be held.

On the basis of all pleadings and papers on file, it appears to the Court that there is good cause to believe that Plaintiff will suffer immediate and irreparable injury or damage before

notice can be given and Defendant and Garnishees or their attorneys can be heard in opposition, and before a hearing can be held. The Court therefore finds that the Temporary Restraining Order should issue. NOW, THEREFORE,

IT IS HEREBY ORDERED that:

1. Defendant, Brian M. LaGrand, and Defendant's agents, attorneys, trustees, successors, and all persons acting in concert with them, are enjoined and restrained from transferring, disbursing, wiring, mailing, paying, or in any way dissipating the proceeds of any settlement arising from those claims asserted by Brian M. LaGrand (Claim #95) against the Roman Catholic Archbishop in Oregon, and successors, a Corporation sole, dba the Archdiocese of Portland in Oregon, until further Order and as directed by this Court; and

2. Garnishees, (i) the Roman Catholic Archbishop in Oregon, and successors, a Corporation sole, dba the Archdiocese of Portland in Oregon; (ii) Bradley O. Baker, a practicing attorney in the state of Oregon; (iii) Union Bank of California, designated as the Known Tort Claimants Trustee as defined by the Third Amended and Restated Joint Plan of Reorganization of Debtor in Bankruptcy Case No. 04-37154-elp11; and (iv) Diane LaGrand, in her individual capacity and as the trustee of any trust which has or may come into possession of funds or assets by or on behalf of Defendant, and all persons acting in concert with Defendant or Garnishees, are enjoined and restrained from making any payment, transferring, disbursing, wiring, mailing, paying, or in any way dissipating or disbursing the proceeds of any settlement arising from those claims asserted by Brian M. LaGrand (Claim #95) against the Roman Catholic Archbishop in Oregon, and successors, a Corporation sole, dba the Archdiocese of Portland in Oregon, until further Order and as directed by this Court; and

3. This Temporary Restraining Order shall remain in place until ~~the Court issues a ruling in conjunction with a show cause hearing on Plaintiff's Motion for a Preliminary Injunction, as scheduled below.~~ *4/27/07 @ 4:00 p.m., when the Court will consider extending the Order*

IT IS FURTHER ORDERED that Defendant Brian M. LaGrand appear before this Court in Courtroom No. 4A of the Mark O. Hatfield U.S. Courthouse at 1000 SW Third Avenue, Portland, OR 97204-2902, on Friday, April 27 2007, at 4:00 p.m. (~~a.m.~~ p.m.), or as

soon thereafter as counsel can be heard, to show cause why this Temporary Restraining Order should not continue during the pendency of this action. Defendant may file affidavits or declarations with the Court and may present testimony at the hearing; if Defendant fails to appear at the hearing, the Court, without taking further evidence, may immediately enter a preliminary injunction and issue a Writ of Execution, in accordance with Plaintiff's Complaint; and

IT IS FURTHER ORDERED that Garnishees, as identified above in this Order, appear before this Court on the date and time and at the place, as set forth in the above, for the hearing of Plaintiff's motion, as set forth in the application of Plaintiff; Garnishees may file affidavits or declarations with the Court and may present testimony at the hearing; if Garnishee(s) fails to appear at the hearing, the Court, without taking further evidence, may immediately enter a Preliminary Injunction and issue a Writ of Execution, in accordance with Plaintiff's Complaint; and

IT IS FURTHER ORDERED that Plaintiff, as a condition for obtaining this Temporary Restraining Order, is required to post a bond, letter of credit, or cash deposit, in the sum of \$ 10,000.00; and

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IT IS FURTHER ORDERED that a copy of this Temporary Restraining Order and Order to Show Cause shall be served forthwith on Garnishees and promptly on Defendant.

Dated this 18th day of April, 2007. @ 10:30a.m.



United States District Court Judge

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